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April 22, 2005

Via facsimile: 1-202-219-3923

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E. Street, NW
Washington, D.C. 20463

Re: Complaint #MUR 5651

Dear Mr. Jordan:

In an effort to respond to the above-referenced complaint, my client Mr. Joe Gallagher has met with both the complainant, Don Sparks, and the Executive Committee of the Blount County Democratic Party. Both Mr. Sparks and the local party are now satisfied with Mr. Gallagher's accounting with respect to last season's Blount County Kerry for President Campaign. Enclosed please find a notarized letter from Mr. Brandon Cook and an Affidavit from Mr. Don Sparks which requests that his complaint be withdrawn.

Given that our local efforts at conciliation have been successful, please advise whether any further action is required.

Yours very truly,


Michael H. Meares

MHM/tah
Enclosure:

cc: Mr. Joe Gallagher (w/encl.)
Mr. Don Sparks (w/encl.)
Mr. Brandon Cook, Chairman Blount County Democratic Party (w/encl.)

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2005 APR 29 A 10:51

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BRANDON COOK

Friendsville, Tennessee 37777

April 18, 2005

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5651

Dear Mr. Jordan:

My name is Brandon Cook, Friendsville, Tennessee 37777. I
am the duly elected Chairman of the Blount County (TN) Democratic Party.

I am writing in response to a complaint filed with your office against Mr. Joseph C. Gallagher Louisville, TN 37777. Mr. Gallagher was Chairman of the 2004 Blount County Kerry For President campaign. It was an independent effort but one that had very positive impact towards revitalizing the Democratic Party in Blount County.

I have considered the allegations contained in the complaint filed by Mr. Don Sparks, Maryville, TN 37803 (MUR #5651). The complaint is without merit and should be dismissed. Mr. Sparks alleges that Mr. Gallagher "deposited at least five checks made out to the Blount County Democratic Party into the account he opened as BCKP (Blount County Kerry For President)." The facts are:


- 1-Each of the checks referred to were brought to the Kerry Headquarters;
- 2-Mr. Gallagher agrees that he mistakenly deposited one check for \$100 in the BCKP account which properly should have been forwarded to the Blount County Democratic Party. Mr. Gallagher's error was unintentional;
- 3-Five other checks made out to "Democratic Party" were intended for the Kerry campaign but their combined total was \$145.00.
- 4-The total amount in dispute, including the \$100 which Mr. Gallagher agrees was handled in error, is \$245.00.

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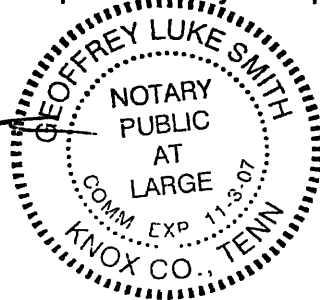
At the April 14, 2005 regular meeting of the Blount County Democrats Executive Committee, Mr. Gallagher presented a check to "Blount County Democratic Party" in the amount of \$865.00, the balance in the Kerry account at Citizens Bank of Blount County. Mr. Gallagher also submitted a full accounting of campaign activities and a full financial disclosure. The Executive Committee accepted both the \$865.00 check and the campaign report with a resounding approval and vote of appreciation to Mr. Gallagher for his efforts in the 2004 campaign.

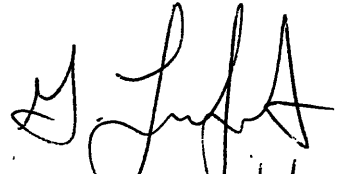
As Chairman of the Blount County Democratic Party, I want you to know that the Executive Committee fully endorses Mr. Gallagher's campaign efforts. I further recommend that you dismiss the complaint filed by Mr. Sparks.

Thank You,


Brandon Cook
Chairman
Blount County Democratic Party

Friendsville, TN 37777




Exp. 11/3/2007

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AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF BLOUNT)

Before me the undersigned appeared Don Sparks who after being duly sworn
deposed and said:

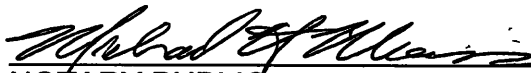
1. I am Don Sparks and am the original complainant in MUR #5651.
2. I have met with Joe Gallagher and reviewed his final report of the Blount
County Kerry for President campaign and the letter addressed to the Federal Election
Commission from Brandon Cook, Chairman of the Blount County Democratic Party.
3. After reviewing those materials and the records presented to me by Mr.
Gallagher, my previous concerns have been satisfied and I request that my complaint
be withdrawn.

FURTHER AFFIANT SAITH NOT.


DON SPARKS

I, Don Sparks, make oath in due form of law that I have read the foregoing
Affidavit and the facts contained therein are true and correct to the best of my
knowledge and belief.

Sworn to and subscribed before me this 22nd day of April, 2005.


NOTARY PUBLIC

My Commission Expires: 8-6-05